

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

STANLEY N. OZOROSKI

Petitioner

v.

EDWARD J. KLEM; THE DISTRICT
ATTORNEY OF THE COUNTY OF
MONTGOMERY; AND THE ATTORNEY
GENERAL OF THE STATE OF
PENNSYLVANIA

Respondents

Civil Action No. 03-6381

ORDER

September 28, 2005

Upon consideration of the pleadings and record herein, and after review of the Report and Recommendation of United States Magistrate Judge Charles B. Smith, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. The Petition for Writ of Habeas Corpus, pursuant to 28 U.S.C. § 2254, is DENIED.
3. There is no probable cause to issue a certificate of appealability.

It is so ORDERED.

BY THE COURT:

LOUIS H. POLLAK J.